

Sixth Appellate District

San Jose, California

MONDAY, NOVEMBER 3, 2003

H024792 PEOPLE v. LE

The judgment is reversed and remanded for possible retrial
of the personal infliction of great bodily injury allegation.
(not published)

(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)

Filed November 3, 2003

H022035 LETONA v. COUNTY OF SANTA CLARA, et al.

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Rushing, P.J., Elia, J.)

Filed November 3, 2003

H023067 SCOTT CO. OF CALIFORNIA v. UNITED STATES FIDELITY &
GUARANTY INSURANCE COMPANY, et al.

The appeal is dismissed as moot. The parties shall bear
their own appellate costs. (not published)

(Elia, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)

Filed November 3, 2003

H019727 PEOPLE v. NGUYEN, et al.

By the Court*:

Appellants' petitions for rehearing are denied.

Filed: November 3, 2003

*Before Premo, Acting P.J., Bamattre-Manoukian, J. and
Wunderlich, J.

TUESDAY, NOVEMBER 4, 2003

H023657 CAPLAN, et al. v. BOYCE, et al.

We affirm the judgment and the order dismissing the action.
(not published)

(Mihara, J.; We concur: Elia, Acting P.J., Bamattre-Manoukian,
J.)

Filed November 4, 2003

H025826 PEOPLE v. AVILLA

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Wunderlich, J.)

Filed November 4, 2003

Sixth Appellate District

San Jose, California

Tuesday, November 4, 2003 (Continued)

H024767 PEOPLE v. THOMAS F.

The orders appealed from are reversed. (not published)
(Rushing, P.J.; We concur: Wunderlich, J., Mihara, J.)
Filed November 4, 2003

WEDNESDAY, NOVEMBER 5, 2003

H022610 ENG v. SANTA CLARA VALLEY WATER DISTRICT

By the Court*:

Appellant's petition for rehearing is denied.
Filed: November 5, 2003

*Before Elia, Acting P.J., Wunderlich, J. and Mihara, J.

THURSDAY, NOVEMBER 6, 2003

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and W. Magsaysay, Deputy Clerk.

H024621 PEOPLE v. SARABI

Cause called and argued by Richard M. Doctoroff appearing for Appellant and by Christina Vom Saal, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H024123 PEOPLE v. VIJAY

Cause called and argued by Ruth McVeigh appearing for Appellant and by Dorian Jung, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H025317 PEOPLE v. WAGNER

Cause called and argued by William Robinson appearing for Appellant and by Dorian Jung, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H025712 IN RE DELILIAH B., et al., MINORS

H026474 IN RE MONICA S., on Habeas Corpus

Causes called and argued by Caroline J. Todd appearing for Appellant and Petitioner. No appearance is made on behalf of Respondent Santa Clara County Department of Family and Children's Services and Respondent minors. Causes are ordered submitted.

Sixth Appellate District

San Jose, California

Thursday, November 6, 2003 (Continued)

H025313 BILODEAU v. RUDO

Cause called and argued by Carl Munteer appearing for Appellant and by Tyler G. Draa appearing for Respondent. Cause ordered submitted.

H024770 OLSON, et al. v. MURRAY, et al.; WASHINGTON MUTUAL BANK

Cause called and argued by John H. Missirlian appearing for Appellants, by Edward E. Smith appearing for Respondents Timothy Murray, et al., by Peter K. Wolff appearing for Respondents James Thompson, et al., by Cheryl Stevens appearing for Respondent Bank of America and by Christopher Rahtz appearing for Respondent Washington Mutual Bank. Cause ordered submitted. Court adjourns.

H024142 CDM INVESTORS, et al. v. AMERICAN NATIONAL FIRE INSURANCE COMPANY, et al.

By the Court*:

Appellants' petition for rehearing is denied.

Filed: November 6, 2003

*Before Premo, Acting P.J., Bamattre-Manoukian, J. and Wunderlich, J.

H025629 PEOPLE v. LEFEVRE

The judgment is modified to order the sentences on counts 4 and 5 stayed and the clerk is ordered to send a corrected abstract of judgment to the Department of Corrections. In all other respects, the judgment is affirmed. (not published) (Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed November 6, 2003

H024717 PEOPLE v. CANTU, JR.

By the Court*:

Appellant's petition for rehearing is denied.

Filed: November 6, 2003

*Before Premo, Acting P.J., Elia, J. and Bamattre-Manoukian, J.

H025215 PEOPLE v. FONSECA

The judgment is reversed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Wunderlich, J.)
Filed November 6, 2003

Sixth Appellate District

San Jose, California

Thursday, November 6, 2003 (Continued)

H025294 PEOPLE v. COOK

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J.,
Wunderlich, J.)
Filed November 6, 2003

H025037 PEOPLE v. LOZANO

H025798 LOZANO on Habeas Corpus.

The appeal is dismissed. The Director of Corrections is ordered to show cause in this court, at a time and place to be specified by court order, why defendant is not entitled to the relief requested in her petition. The return shall be filed within ten days of the filing of this opinion. Defendant's traverse may be filed no later than ten days after the filing of the return. Any party desiring oral argument shall inform this court of that desire in writing no later than upon the filing of the traverse. (not published)
(Mihara, J.; We concur: Rushing, P.J., Wunderlich, J.)
Filed November 6, 2003

H024648 PEOPLE v. CRAFT, JR.

The order granting a new trial is affirmed. (not published)
(Elia, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)
Filed November 6, 2003

FRIDAY, NOVEMBER 7, 2003

H024185 PEOPLE v. LOWMAN

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; I concur: Wunderlich, J.;
Dissenting Opinion by Mihara, J.)
Filed November 7, 2003